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January 28, 2013

To: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to read "W. T. Fujioka", is written over the printed name and title.

WASHINGTON, D.C. UPDATE ON ASSAULT WEAPONS BAN LEGISLATION

On January 24, 2013, Senator Dianne Feinstein introduced the Assault Weapons Ban Act of 2013 (S. 150), which is co-sponsored by 17 other Senate Democrats, including Senator Barbara Boxer. The companion House bill will be introduced by Representatives Carolyn McCarthy (D-NY) and Ed Perlmutter (D-CO) after the House is back in session.

Senator Feinstein and Representatives McCarthy and Perlmutter have released the attached summary of the legislation. As indicated in the bill summary, S. 150 reinstates and strengthens the 1994 assault weapons ban, which expired in 2004. The bill would ban the sale, transfer manufacture, and importation of semiautomatic rifles and pistols that can accept detachable magazines with a capacity of more than 10 rounds and with at least one military feature. It also would ban all semiautomatic shotguns with folding or detachable stocks and certain other features, such as a capacity of more than 5 rounds, and ban the sale or transfer of any ammunition magazine with a capacity of more than 10 rounds. Any weapon that is lawfully possessed as of the date of the bill's enactment would be grandfathered in (exempt), but background checks would be required on all sales or transfers of grandfathered in assault weapons.

The bill also differs from and strengthens the expired 1994 assault weapons ban by defining an assault weapon as having at least one rather than two military features,

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banning aftermarket modifications and workarounds, adding a ban on the importation of assault weapons and large-capacity magazines, and eliminating the 10-year sunset date that allowed the 1994 ban to expire.

We will continue to keep you advised.

WTF:RA
MR:MT:ma

Attachment

c: All Department Heads
Legislative Strategist

Assault Weapons Ban of 2013

Mass shootings in Newtown, Aurora, and Tucson have demonstrated all too clearly the need to regulate military-style assault weapons and high capacity ammunition magazines. These weapons allow a gunman to fire a large number of rounds quickly and without having to reload.

What the bill does:

The legislation bans the sale, transfer, manufacturing and importation of:

- All semiautomatic rifles that can accept a detachable magazine and have at least one military feature: pistol grip; forward grip; folding, telescoping, or detachable stock; grenade launcher or rocket launcher; barrel shroud; or threaded barrel.
- All semiautomatic pistols that can accept a detachable magazine and have at least one military feature: threaded barrel; second pistol grip; barrel shroud; capacity to accept a detachable magazine at some location outside of the pistol grip; or semiautomatic version of an automatic firearm.
- All semiautomatic rifles and handguns that have a fixed magazine with the capacity to accept more than 10 rounds.
- All semiautomatic shotguns that have a folding, telescoping, or detachable stock; pistol grip; fixed magazine with the capacity to accept more than 5 rounds; ability to accept a detachable magazine; forward grip; grenade launcher or rocket launcher; or shotgun with a revolving cylinder.
- All ammunition feeding devices (magazines, strips, and drums) capable of accepting more than 10 rounds.
- 157 specifically-named firearms (listed at the end of this page).

The legislation excludes the following weapons from the bill:

- Any weapon that is **lawfully possessed** at the date of the bill's enactment;
- Any firearm **manually operated** by a bolt, pump, lever or slide action;
- Assault weapons used by military, **law enforcement, and retired law enforcement**; and
- **Antique weapons.**

The legislation protects hunting and sporting firearms:

- The bill excludes 2,258 legitimate hunting and sporting rifles and shotguns by specific make and model.

The legislation strengthens the 1994 Assault Weapons Ban and state bans by:

- Moving from a 2-characteristic test to a 1-characteristic test.
 - The bill also makes the ban harder to evade by eliminating the easy-to-remove bayonet mounts and flash suppressors from the characteristics test.
- Banning dangerous aftermarket modifications and workarounds.
 - Bump or slide fire stocks, which are modified stocks that enable semi-automatic weapons to fire at rates similar to fully automatic machine guns.

- So-called “bullet buttons” that allow the rapid replacement of ammunition magazines, frequently used as a workaround to prohibitions on detachable magazines.
- Thumbhole stocks, a type of stock that was created as a workaround to avoid prohibitions on pistol grips.
- Adding a ban on the importation of assault weapons and large-capacity magazines.
- Eliminating the 10-year sunset that allowed the original federal ban to expire.

The legislation addresses the millions of assault weapons and large-capacity magazines currently in existence by:

- Requiring a background check on all sales or transfers of a grandfathered assault weapon.
 - This background check can be run through the FBI or, if a state chooses, initiated with a state agency, as with the existing background check system.
- Prohibiting the sale or transfer of large-capacity ammunition feeding devices lawfully possessed on the date of enactment of the bill.
- Allowing states and localities to use federal Byrne JAG grant funds to conduct a voluntary buy-back program for grandfathered assault weapons and large-capacity ammunition feeding devices.
- Imposing a safe storage requirement for grandfathered firearms, to keep them away from prohibited persons.
- Requiring that assault weapons and large-capacity ammunition feeding devices manufactured after the date of the bill's enactment be engraved with the serial number and date of manufacture of the weapon

Assault weapon bans have been proven to be effective

The 1994 Assault Weapons Ban was effective at reducing crime and getting these military-style weapons off our streets. Since the ban expired, more than 350 people have been killed and more than 450 injured by these weapons.

- A Justice Department study of the assault weapons ban found that it was responsible for a **6.7% decrease in total gun murders**, holding all other factors equal.
 - Source: Jeffrey A. Roth & Christopher S. Koper, “Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994,” (March 1997).
- The same study also found that “Assault weapons are disproportionately involved in murders with **multiple victims, multiple wounds per victim, and police officers as victims.**”
- **The use of assault weapons in crime declined by more than two-thirds** by about nine years after 1994 Assault Weapons Ban took effect.
 - Source: Christopher S. Koper, “An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003” (June 2004), University of Pennsylvania, Report to the National Institute of Justice, U.S. Department of Justice.
- The percentage of firearms seized by police in Virginia that had **high-capacity magazines dropped significantly during the ban**. That figure has **doubled** since the ban expired.
 - Source: David S. Fallis and James V. Grimaldi, “In Virginia, high-yield clip seizures rise,” Washington Post, at <http://www.washingtonpost.com/wp-dyn/content/article/2011/01/22/AR2011012204046.html>
- When Maryland imposed a more stringent ban on assault pistols and high-capacity magazines in 1994, it led to a **55% drop in assault pistols recovered** by the Baltimore Police Department.

- Source: Douglas S. Weil & Rebecca C. Knox, Letter to the Editor, The Maryland Ban on the Sale of Assault Pistols and High-Capacity Magazines: Estimating the Impact in Baltimore, 87 Am. J. of Public Health 2, Feb. 1997.
- **37% of police departments** reported seeing a **noticeable increase** in criminals' use of assault weapons since the 1994 federal ban expired.
 - Source: Police Executive Research Forum, Guns and Crime: Breaking New Ground by Focusing on the Local Impact (May 2010).

List of firearms prohibited by name

Rifles: All AK types, including the following: AK, AK47, AK47S, AK-74, AKM, AKS, ARM, MAK90, MISR, NHM90, NHM91, Rock River Arms LAR-47, SA85, SA93, Vector Arms AK-47, VEPR, WASR-10, and WUM, IZHMASH Saiga AK, MAADI AK47 and ARM, Norinco 56S, 56S2, 84S, and 86S, Poly Technologies AK47 and AKS; All AR types, including the following: AR-10, AR-15, Armalite M15 22LR Carbine, Armalite M15-T, Barrett REC7, Beretta AR-70, Bushmaster ACR, Bushmaster Carbon 15, Bushmaster MOE series, Bushmaster XM15, Colt Match Target Rifles, DoubleStar AR rifles, DPMS Tactical Rifles, Heckler & Koch MR556, Olympic Arms, Remington R-15 rifles, Rock River Arms LAR-15, Sig Sauer SIG516 rifles, Smith & Wesson M&P15 Rifles, Stag Arms AR rifles, Sturm, Ruger & Co. SR556 rifles; Barrett M107A1; Barrett M82A1; Beretta CX4 Storm; Calico Liberty Series; CETME Sporter; Daewoo K-1, K-2, Max 1, Max 2, AR 100, and AR 110C; Fabrique Nationale/FN Herstal FAL, LAR, 22 FNC, 308 Match, L1A1 Sporter, PS90, SCAR, and FS2000; Feather Industries AT-9; Galil Model AR and Model ARM; Hi-Point Carbine; HK-91, HK-93, HK-94, HK-PSG-1 and HK USC; Kel-Tec Sub-2000, SU-16, and RFB; SIG AMT, SIG PE-57, Sig Sauer SG 550, and Sig Sauer SG 551; Springfield Armory SAR-48; Steyr AUG; Sturm, Ruger Mini-14 Tactical Rifle M-14/20CF; All Thompson rifles, including the following: Thompson M1SB, Thompson T1100D, Thompson T150D, Thompson T1B, Thompson T1B100D, Thompson T1B50D, Thompson T1BSB, Thompson T1-C, Thompson T1D, Thompson T1SB, Thompson T5, Thompson T5100D, Thompson TM1, Thompson TM1C; UMAREX UZI Rifle; UZI Mini Carbine, UZI Model A Carbine, and UZI Model B Carbine; Valmet M62S, M71S, and M78; Vector Arms UZI Type; Weaver Arms Nighthawk; Wilkinson Arms Linda Carbine.

Pistols: All AK-47 types, including the following: Centurion 39 AK pistol, Draco AK-47 pistol, HCR AK-47 pistol, IO Inc. Hellpup AK-47 pistol, Krinkov pistol, Mini Draco AK-47 pistol, Yugo Krebs Krink pistol; All AR-15 types, including the following: American Spirit AR-15 pistol, Bushmaster Carbon 15 pistol, DoubleStar Corporation AR pistol, DPMS AR-15 pistol, Olympic Arms AR-15 pistol, Rock River Arms LAR 15 pistol; Calico Liberty pistols; DSA SA58 PKP FAL pistol; Encom MP-9 and MP-45; Heckler & Koch model SP-89 pistol; Intratec AB-10, TEC-22 Scorpion, TEC-9, and TEC-DC9; Kel-Tec PLR 16 pistol; The following MAC types: MAC-10, MAC-11; Masterpiece Arms MPA A930 Mini Pistol, MPA460 Pistol, MPA Tactical Pistol, and MPA Mini Tactical Pistol; Military Armament Corp. Ingram M-11, Velocity Arms VMAC; Sig Sauer P556 pistol; Sites Spectre; All Thompson types, including the following: Thompson TA510D, Thompson TA5; All UZI types, including: Micro-UZI.

Shotguns: Franchi LAW-12 and SPAS 12; All IZHMASH Saiga 12 types, including the following: IZHMASH Saiga 12, IZHMASH Saiga 12S, IZHMASH Saiga 12S EXP-01, IZHMASH Saiga 12K, IZHMASH Saiga 12K-030, IZHMASH Saiga 12K-040 Taktika; Streetsweeper; Striker 12.

Belt-fed semiautomatic firearms: All belt-fed semiautomatic firearms including TNW M2HB.